

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Gerry L. Whitehead and  
Linda K. Whitehead**

**CASE NO. 16-11053**

**DEBTOR(S)**

**CHAPTER 7**

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**UNITED STATES TRUSTEE'S MOTION TO REOPEN**

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COMES NOW the Acting United States Trustee ("UST") for Region 5, Henry G. Hobbs, Jr., by and through undersigned counsel, pursuant to 11 U.S.C. § 350(b) and Rule 5010, FRBP, and files this Motion to Reopen the above styled and numbered case. In support hereof, the UST respectfully submits:

1.

On March 24, 2016, Gerry L. Whitehead and Linda K. Whitehead ("DEBTORS") filed a voluntary petition for relief pursuant to 11 U.S.C. chapter 7.

2.

On May 5, 2016, the trustee filed his Report of No Distribution. This case was closed on September 12, 2016.

3.

Upon information and belief the UST would show that the debtor, Linda K. Whitehead, has a products liability claim.

4.

The above styled and numbered proceeding should be reopened for the purpose of determining whether the debtor's claim, or claims, constitute property of the debtor's estate, which should be administered, pursuant to the distribution scheme as set forth in 11 U.S.C. § 726.

5.

The UST would further show that the appointment of a trustee is necessary to protect the interest of creditors and the debtor and to ensure the efficient administration of this case.

*UST-MRC*

WHEREFORE, PREMISES CONSIDERED, the UST submits this Motion to Reopen and prays that the court will enter an order granting same.

The UST further prays for all general and equitable relief to which entitled.

Respectfully submitted,

HENRY G. HOBBS, JR.  
Acting United States Trustee  
Region 5, Judicial Districts  
of Louisiana and Mississippi

By: /s/ Sammye S. Tharp  
Sammye S. Tharp  
Trial Attorney

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*UST-MRC*

**CERTIFICATE OF SERVICE**

I, Sammye S. Tharp, do hereby certify that I have, this day, mailed, postage prepaid, and/or transmitted via CM/ECF a true and correct copy of the foregoing Motion to Reopen to the below name individual(s):

Selene Maddox, Esq.  
362 Broadway Street  
Tupelo MS 38802

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P.O. Box 909  
New Albany MS 38652

Gerry L. Whitehead  
Linda K. Whitehead  
P.O. Box 204  
Ecru MS 38841

This the 4th day of December, 2017.

/s/ Sammye S. Tharp  
Sammye S. Tharp

*UST-MRC*